

## **Exhibit J**

CRAIG MANSFIELD - 01/18/2019

1 UNITED STATES DISTRICT CIRCUIT  
2 FOR THE EASTERN DISTRICT OF VIRGINIA  
3 Richmond Division

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5 LULA WILLIAMS, et al.,

6 Plaintiffs,

7 v.

Case No. 3:17-cv-00461

8 BIG PICTURE LOANS, LLC, et al.,

9 Defendants.  
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16 VIDEO-RECORDED DEPOSITION

17 OF

18 CRAIG R. MANSFIELD  
19 -----  
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25 Taken January 18, 2019

By Christine M. Clark, RPR

1 to me the member was always the council.

2 Q. Yep. I'm just trying to help understand what Article 6  
3 means when it says that you were hired or appointed by  
4 the member. And I believe that what you've said is that  
5 the tribal council appointed you as --

6 A. Yes.

7 Q. -- co-manager. Could you describe generally your roles  
8 as co-manager of Red Rock?

9 A. I wasn't involved. At the very beginning I helped set  
10 up the -- our call center that we had on our property.  
11 It started with where we purchased cubicles. It was six  
12 cubicles. We purchased computers. We set up the  
13 Internet to go there. We got billing. We had set up  
14 the payment. We went through the hiring. We, you know,  
15 hired an assistant manager. Then the first go-around we  
16 hired four call center operators, and then we hired an  
17 additional two who sat down and worked up the employee  
18 handbook and set up a payroll for it. This was what we  
19 -- I did at the very beginning.

20 As far as being a co-manager, I wasn't really  
21 heavily involved in the day-to-day operations. I did  
22 more so where we were reviewing contracts, where I would  
23 look at contracts. I would review them, look at edits  
24 with our lawyer and approve them. I also looked at  
25 marketing strategies that were -- were discussed,

1 customer acquisition. We sat down and developed call  
2 center scripts, and -- and I'm sure there's other  
3 things. I just don't recall at this point.

4 Q. Sure. Just to be clear when you say you weren't  
5 involved in the day-to-day operations, what you mean is  
6 you were involved in the management function, but not so  
7 much the on the ground, you know, day-to-day, for  
8 example, the call center op?

9 MR. ALBANESE: Object, leading.

10 A. Well, what I mean I wasn't -- the day-to-day in the call  
11 center I was involved at the very beginning. I also sat  
12 there and hired people to staff it, not only for the  
13 first go-around, but then afterwards, when I wasn't  
14 involved as the operations manager there, I sat there  
15 and hired more people for the sit down in the interviews  
16 and go through all of that.

17 Q. And those were the people who were involved in the  
18 day-to-day operations?

19 A. Yes.

20 Q. You said you hired an assistant manager. Do you  
21 remember who that was?

22 A. I remember his first name.

23 Q. Sure.

24 A. It was Jason.

25 Q. Do you remember the names of any of the call center

1 operators?

2 A. From seven years ago, I'm sorry I do not.

3 Q. How about the people who helped you with the handbook?

4 A. I wrote -- well, it was Karrie helped me, our lawyer,  
5 with doing some of that. I did some of the edits, and  
6 we sat down together and finished out the handbook.

7 Q. Was the handbook just you and Karrie then?

8 A. Yes.

9 Q. Do you know why the tribe felt it needed an outside  
10 consultant to help with the lending business?

11 MR. DUROCHER: Object to the form.

12 A. Well, sure. Any time you start a new business, you --  
13 you don't have expertise in it. You don't understand  
14 how to -- to run it properly. So that's why you pay a  
15 service provider to help you learn this business.

16 Q. And who was the service provider that the tribal lending  
17 entity selected, if you remember?

18 A. It was Matt Martorello.

19 Q. And do you recall whether the companies that Matt  
20 Martorello worked with, do you remember the names of  
21 them?

22 A. The one I know is Bellicose.

23 Q. How did the tribe come to select Bellicose, if you know?

24 A. There was a meeting of -- I don't recall exactly when,  
25 and we had met with Matt and it was discussed. People

1 that?

2 MR. WITSCH: Yes. Just to yourself though  
3 please.

4 THE WITNESS: Okay.

5 Q. MR. WITSCH: So is it true under this provision that the  
6 criteria used to determine whether to extend funds to  
7 individual borrowers rested solely and absolutely in the  
8 discretion of Red Rock?

9 MR. ALBANESE: Objection, leading.

10 A. Yes.

11 Q. MR. WITSCH: Were decisions as to whether to originate  
12 loans made by employees at Red Rock, if you know?

13 A. Define originate.

14 Q. Well, what does originate mean to you, Mr. Mansfield?

15 A. It's where the loans would -- you would begin the loan  
16 process.

17 Q. So were the decisions as to whether to make individual  
18 loans to individual borrowers being made by people who  
19 worked at Red Rock?

20 A. Yes.

21 Q. And where did those people work?

22 A. At the call center.

23 Q. And when you say the call center, you mean the call  
24 center in Watersmeet, Michigan?

25 A. Yes.

1 Q. So that would be on tribal reservation?

2 A. Yes.

3 Q. When Red Rock went to collect a loan, do you know who  
4 would be the company that would ultimately make  
5 collection decisions? Would it be Red Rock?

6 A. When a -- when you talk about someone defaulted on a  
7 loan, or just the actual for us to collect like the  
8 money from their account?

9 Q. I think my question is, when you were collecting funds  
10 from individual borrowers' accounts, those collections  
11 were being done by the same employees at the call  
12 center, right?

13 A. Yes.

14 Q. And those collection activities were happening again at  
15 the call center in Watersmeet, Michigan?

16 A. Yes.

17 Q. Which is on the tribal reservation?

18 A. That is correct.

19 Q. Do you recall whether there was a similar agreement in  
20 place between Duck Creek Tribal Financial and  
21 SourcePoint?

22 MR. DUROCHER: Similar to Exhibit 9?

23 MR. WITSCH: 9, yes.

24 A. I don't recall the exact one.

25 Q. MR. WITSCH: Did Bellicose and SourcePoint provide

1 consulting advice to Duck Creek, in addition to Red  
2 Rock?

3 A. Yes.

4 Q. Were the functions that Bellicose and SourcePoint  
5 performed essentially the same vis-à-vis Duck Creek that  
6 they were with Red Rock?

7 A. Yes.

8 Q. What specific tasks would you say were within your  
9 bailiwick as co-manager of the tribal lending entities?

10 MR. DUROCHER: He already talked about some  
11 of the work he did in the formation.

12 MR. WITSCH: Sure.

13 MR. DUROCHER: I don't want him to repeat  
14 all of that. Right?

15 MR. WITSCH: I understand. Yeah. No.

16 Q. MR. WITSCH: I'd just like to know your day-to-day as  
17 co-manager of Red Rock.

18 A. Day to day, I wasn't heavily involved in the day-to-day  
19 operations. I would -- we would -- when there is  
20 contracts that need to be signed, and again I would just  
21 -- I would look at them, review them, and have them  
22 looked over by legal counsel, and then we would approve  
23 them. The same thing when we were -- for funding, I was  
24 part of that, the discussions and the approval process,  
25 when we went through direct mail, when we went through



1 some of the strategies for to get the people to get the  
2 loans, acquisition of customers, the actual how -- how  
3 the form of that was set for it.

4 Q. So, in other words, you were performing a management  
5 function as opposed to a day-to-day function?

6 A. Yes.

7 Q. You said one of the things you would do would be to  
8 review contracts that needed to be signed, and you'd  
9 review them with counsel. I don't want you to tell me  
10 what you discussed with counsel. But who -- which  
11 lawyer would you discuss contracts with, or lawyers?

12 MR. DUROCHER: You can answer that.

13 A. Karrie Wichtman.

14 Q. MR. WITSCH: Who is Karrie Wichtman?

15 A. She was our -- the lawyer for our company, legal  
16 counsel.

17 Q. Do you know where Karrie Wichtman worked at the time you  
18 were co-manager?

19 MR. DUROCHER: Which law firm or which  
20 location?

21 Q. MR. WITSCH: Which law firm Karrie Wichtman worked at.

22 A. Rosette & Associates.

23 Q. And is Rosette outside general counsel to the tribe, or  
24 was it at the time you were tribal co-manager?

25 A. I don't remember the exact -- how it worked, but we --

1 A. Yes.

2 Q. Do you recall there being a recommendation process  
3 whereby folks from Bellicose and SourcePoint would make  
4 certain recommendations to you and Michelle Allen as to  
5 certain things?

6 A. We would have conference calls, and we would sit down  
7 and discuss things.

8 Q. Do you recall whether there was a recommendation -- when  
9 SourcePoint and Bellicose would make recommendations to  
10 you whether sometimes they were made through a formal  
11 recommendation form?

12 A. I don't have exact knowledge of it, but I don't recall.

13 MR. WITSCH: This will be Number 10.

14 (Exhibit 10 is marked for identification.)

15 Q. MR. WITSCH: Mr. Mansfield, I've just marked Number 10.  
16 Do you recognize what Number 10 is?

17 A. It's a Recommendation to Take Action, for Request for  
18 Approval.

19 Q. And it's addressed from SourcePoint to yourself, and --  
20 I would butcher it if I tried. But that is Michelle  
21 Allen's name, correct?

22 A. Yes.

23 Q. And it's dated 1/6/2014. You were still one of the  
24 co-managers of Red Rock at the time, right?

25 A. At that point, yes, I was. I believe about eight days

1 later I resigned.

2 Q. Are you familiar with this type of form?

3 A. Yes.

4 Q. Could you just describe the process by which SourcePoint  
5 would send you this type of form?

6 A. I am familiar with it because I've seen it before, but,  
7 as far as how we went about obtaining it, I don't recall  
8 exactly how that went about.

9 Q. But you recall receiving documents that look like this  
10 one?

11 A. Yes.

12 Q. And what would you do when you received a document like  
13 this?

14 A. I would look it over, see what the recommendation is and  
15 the reason, and if it made sense I would approve it.

16 Q. And if it didn't make sense?

17 A. Then wouldn't be approved.

18 Q. And ultimately any SourcePoint recommendation would have  
19 to be approved by you or -- you and/or Michelle Allen,  
20 right?

21 A. Yes.

22 MR. ALBANESE: Leading, objection.

23 Q. MR. WITSCH: This wouldn't be adopted unless one of you  
24 approved it?

25 MR. DUROCHER: By this, you mean this

1 A. I wouldn't know.

2 Q. When you were a co-manager, how -- how -- was your term  
3 at Red Rock and Duck Creek, did that all happen around  
4 the same time as co-manager?

5 A. Yes.

6 Q. Okay. Did Duck Creek have separate call center  
7 representatives than Red Rock?

8 A. I don't know the answer to that, but we had one call  
9 center. From my understanding, so you had a business  
10 that became another one, and that's -- I mean I believe  
11 that's how it -- it went. What did we have? We had one  
12 call center, and that was Duck Creek.

13 Q. Okay. And you said at the time you left there were  
14 eight people working in the call center?

15 A. There may have been more. At the time I left, there  
16 were eight people at least.

17 Q. Okay. But there weren't like 50 people?

18 A. No.

19 Q. No. There might have been 10 maybe?

20 A. I --

21 Q. Yeah.

22 A. Somewhere around there.

23 Q. Okay. So, when you were co-manager at Duck Creek and  
24 Red Rock, how frequently would you interact with Matt  
25 Martorello?

1 A. We would have conference calls with myself, with Shelly,  
2 with Matt. I believe Karrie would be on them.  
3 Infrequently.

4 Q. So like once a month?

5 A. We tried to do it every week.

6 Q. Okay. When you were co-manager of Duck Creek and Red  
7 Rock, did you work -- where was your office? Did you  
8 have an office?

9 A. When I was the office manager, I had one right there in  
10 the call center. Other than that, I just worked from my  
11 area as the hotel manager.

12 Q. Okay. And when were you office manager?

13 A. Right around when we went down to the travel -- down to  
14 Chicago, for approximately three to five months, I was  
15 the manager of that business, operations manager.

16 Q. Okay. And while you were operations manager, you would  
17 work in the office with the call center representatives?

18 A. Yeah.

19 Q. How many hours a week were you spending in that office?

20 A. Approximately -- it varied. I started around 40, and at  
21 the end it was closer to about 20.

22 Q. And during this time you still had responsibilities at  
23 the other tribal businesses that you worked with?

24 A. Yes.

25 Q. And did -- there was no office on tribal grounds related

1 A. That's correct.

2 Q. Okay. Were there certain underwriting criteria in terms  
3 of whether Red Rock or Duck Creek would approve a loan?

4 A. There were things discussed about that. Do I remember  
5 exactly what they are? No, I do not.

6 Q. But were there underwriting criteria, do you remember,  
7 just in general?

8 A. Well, there was, I believe so, yes.

9 Q. Okay. Do you know who would have developed that  
10 underwriting criteria?

11 A. That information would have been provided by our service  
12 provider, our paid service provider.

13 Q. Okay. And your paid service provider was Bellicose?

14 A. Yes.

15 Q. Were there -- do you know if there were any  
16 verifications done to ensure that the information that  
17 that the borrower was providing was correct?

18 A. No, I do not.

19 Q. Okay. You said earlier that I think that the -- the  
20 tribe ultimately had the authority about whether to fund  
21 the loan or not; is that correct?

22 A. Yes.

23 Q. How would they indicate to fund the loan?

24 A. I -- we had the account the money went through that we  
25 were the ones that would actually put the money in and

1 take the money out of the accounts. That was done at  
2 the tribe, at the call center.

3 Q. How was that done though? The -- do you know how  
4 exactly that was done?

5 A. No, I don't.

6 Q. Okay. So someone submits a loan application, and then  
7 there's some determination about whether to approve the  
8 loan or not, but you're not entirely sure how that whole  
9 process worked?

10 A. That is correct.

11 Q. Okay. Was there a loan -- was there a particular piece  
12 of software used to manage this whole process?

13 A. There was a software program that was used at the call  
14 center, yes.

15 Q. Okay. Do you know the name of that program?

16 A. No, I do not know.

17 Q. Okay.

18 A. I do not remember.

19 Q. Did you use that program?

20 A. Yes.

21 Q. Okay. Did you train people on how to use that program?

22 A. Myself and Jason.

23 Q. Okay.

24 A. More so Jason had the ability to train them a little bit  
25 better than myself.

1 was used --

2 MR. WITSCH: Objection to the form.

3 Q. MR. ALBANESE: -- in relation to Red Rock loans.

4 MR. WITSCH: Objection to the form.

5 Q. MR. ALBANESE: Are you aware of any call center in the  
6 Philippines being used at Red Rock?

7 MR. WITSCH: Objection to the form.

8 A. I'm aware there were call centers in the Philippines.  
9 Yes.

10 Q. MR. ALBANESE: Okay. And call centers in the  
11 Philippines were used at the time you were co-manager of  
12 Red Rock?

13 MR. WITSCH: Objection to the form.

14 A. Yes.

15 Q. MR. ALBANESE: And what did those call centers do?

16 A. I -- I don't know exactly what they did, but we would  
17 support them and answer questions for them.

18 Q. Okay.

19 A. About loans that people had.

20 Q. Okay. So were they -- were they performing a similar --  
21 were the people working at the call center in the  
22 Philippines performing a similar function to the people  
23 working on tribal grounds, the call center  
24 representatives?

25 MR. DUROCHER: Object to the form.



1 definitively.

2 Q. That's fine. But I guess my question more specifically  
3 is this contractual provision leaves the responsibility  
4 for loan documentation functions with Red Rock, right?

5 A. Yes.

6 MR. ALBANESE: Objection, form.

7 Q. MR. WITSCH: And then in subsection (j), that's the one  
8 that says Servicer may also be responsible for training  
9 and monitoring employees of the Enterprise that operate  
10 the Enterprise's call center.

11 Did I read that correctly?

12 A. Yes.

13 Q. So, in other words, they were providing some training to  
14 the folks who worked in the call center. But at the end  
15 of the day it was the co-managers who were in charge of  
16 the folks who worked at the call center, right?

17 MR. ALBANESE: Objection, leading.

18 Q. MR. WITSCH: I'll ask it again. So this provision seems  
19 to say that SourcePoint would provide some training to  
20 the people in the call center. Is that what they did?

21 A. The only people that were trained was myself and my  
22 co-manager. And excuse me. My -- the assistant  
23 operations manager.

24 Q. And then the assistant operations manager would provide  
25 training to other folks that worked for you?

1 A. Yes. In the call center that we had at the -- on the  
2 reservation.

3 Q. And just to go back to the folks that worked at the call  
4 center on the reservation one more time, I think it was  
5 your testimony, but correct me if I'm wrong, but it was  
6 ultimately those folks who were the ones who were moving  
7 the funds in and out of the consumers' bank accounts,  
8 right?

9 A. Yes. At the end of the day we made sure that the funds  
10 are transferred through just following some basic steps  
11 of moving the money and setting up so the program runs.

12 Q. And just to be precise, when you say we, you mean the  
13 folks who worked at Red Rock on the reservation?

14 A. Yes. The employees of Red Rock.

15 Q. Do you know whether the tribe always intended to  
16 ultimately to purchase the servicers from the beginning?  
17 Was the idea to learn and then ultimately purchase the  
18 business outright?

19 A. Yeah. I believe all along they wanted to run the  
20 business and own it on their own.

21 Q. One more. If you would go back to Exhibit Number 11.  
22 On the second page, Mr. Albanese spent some time talking  
23 to you about the compensation you were paying folks that  
24 worked at Red Rock. The ultimate authority or decision  
25 -- let me start that again.

1 I, Craig R. Mansfield, have read this transcript, pages  
2 1 - 190, and acknowledge herein its accuracy except as  
3 noted on the errata sheet.

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\_\_\_\_\_  
Signature

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Notary Public

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1 STATE OF MINNESOTA

2 CERTIFICATE

3 COUNTY OF CARVER

4 I, Christine M. Clark, RPR, hereby certify  
5 that I reported the Video-Recorded Deposition of Craig  
6 R. Mansfield, on this 18th day of January, 2019, in  
7 Minneapolis, Minnesota, and that the witness was by me  
8 first duly sworn to tell the truth and nothing but the  
9 truth concerning the matter in controversy aforesaid;

10 That I was then and there a notary public in and  
11 for the County of Carver, State of Minnesota; that by  
12 virtue thereof I was duly authorized to  
13 administer an oath;

14 That the foregoing transcript is a true and  
15 correct transcript of my stenographic notes in  
16 said matter, transcribed under my direction and  
17 control;

18 That the cost of the original has been  
19 charged to the party who noticed the deposition and  
20 that all parties who ordered copies have been  
21 charged at the same rate for such copies;

22 That the reading and signing of the  
23 deposition was not waived;

24 That I am not related to any of the  
25 parties hereto, nor interested in the outcome of the  
26 action and have no contract with any parties,  
27 attorneys or persons with an interest in the action  
28 that has a substantial tendency to affect my  
29 impartiality;

30 WITNESS MY HAND AND SEAL this 30th day of  
31 January 2019.



-----  
Christine M. Clark, RPR  
Notary Public